

1 Michael Goldberg (#188669)  
mmgoldberg@glancylaw.com  
2 Lionel Z. Glancy (#134180)  
lglancy@glancylaw.com  
3 GLANCY BINKOW & GOLDBERG LLP  
1925 Century Park East, Suite 2100  
4 Los Angeles, CA 90067  
Telephone: (310) 201-9150  
5 Facsimile: (310) 201-9160

6 Gregory S. Asciolla (pro hac vice)  
gasciolla@labaton.com  
7 Hollis L. Salzman (pro hac vice)  
hsalzman@labaton.com  
8 William V. Reiss (pro hac vice)  
wreiss@labaton.com  
9 LABATON SUCHAROW LLP  
140 Broadway  
10 New York, NY 10005  
Telephone: (212) 907-0700  
11 Facsimile: (212) 818-0477

12  
13 **UNITED STATES DISTRICT COURT**  
14 **FOR THE CENTRAL DISTRICT OF CALIFORNIA**

15 ACE MARINE RIGGING & SUPPLY,  
16 INC.,

17 Plaintiff,

18 v.

19 VIRGINIA HARBOR SERVICES,  
20 INC., ET AL.,

21 Defendants.

No. SACV11-00436-GW (FFMx)

**ORDER GRANTING MOTION  
FOR AWARD OF ATTORNEYS'  
FEES AND REIMBURSEMENT OF  
EXPENSES**

Date: September 24, 2012

Time: 8:30 A.M.

Judge: The Honorable George Wu

Ctrm: 10

1           The Court having considered Settlement Class Counsel's Motion for Award  
2 of Attorneys' Fees and Reimbursement of Expenses (the "Motion") and the  
3 memorandum and declarations in support thereof, and after a duly noticed hearing,  
4 hereby finds that:

5           1.       The Motion seeks an award of attorneys' fees to Settlement Class  
6 Counsel of 25% of the Settlement Fund (\$62,812.50) plus accrued interest (to be  
7 determined at the time of distribution), which is comprised of the settlement  
8 payments from: (1) SII, Inc., SHI, Inc. and Frank March; and (2) Urethane  
9 Products Corporation. Settlement Class Counsel also seek reimbursement of  
10 \$15,968.90 in unreimbursed expenses and \$17,308.37 in invoiced expenses that  
11 have not yet been paid.

12           2.       The amount of attorneys' fees requested is fair and reasonable under  
13 the "percentage-of-the-fund" method. This is confirmed by a lodestar "cross-  
14 check," which indicates a negative lodestar multiplier of 0.53.

15           3.       The attorneys' fees requested by Settlement Class Counsel were  
16 entirely contingent upon success. Class Counsel risked time and effort and  
17 advanced significant costs and expenses with no ultimate guarantee of  
18 compensation.

19           4.       The award of 25% is warranted for reasons set out in Settlement Class  
20 Counsel's moving papers, including but not limited to the following: (1) the  
21 excellent result obtained for the Settlement Classes – payment by the Settling  
22 Defendants of \$251,250.00 in cash; (2) the quality and quantity of work performed  
23 by Class Counsel; (3) the complexity of issues in this Action; (4) the risks faced by  
24 Class Counsel throughout the litigation; and (5) the positive reaction of the  
25 Settlement Classes.

26           5.       The costs and expenses sought were incurred in connection with the  
27 prosecution of the litigation for the benefit of the Settlement Classes and were  
28 reasonable and necessary to the further prosecution of this Action.

1           6.       Therefore, upon consideration of the Motion and the memorandum  
2 and declarations in support thereof, and based upon all matters of record including  
3 the pleadings and papers filed in this action and oral argument given at the hearing  
4 on this matter, the Court hereby finds that: (i) the attorneys' fees requested are  
5 reasonable and proper; and (ii) the expenses for which reimbursement is requested  
6 were necessary, reasonable and proper.

7           7.       Accordingly, it is hereby ORDERED and DECREED that:

- 8           (a) Settlement Class Counsel are awarded attorneys' fees in the  
9           amount of 25% of the Settlement Fund (\$62,812.50) plus accrued  
10          interest to be determined at the time of distribution.
- 11          (b) Settlement Class Counsel are awarded reimbursement of  
12          unreimbursed costs and expenses in the amount of \$15,968.90.
- 13          (c) Settlement Class Counsel are awarded reimbursement of invoiced  
14          expenses that have not yet been paid in the amount of \$17,308.37.
- 15          (d) The attorneys' fees, reimbursement of expenses and  
16          reimbursement of unpaid invoiced expenses shall be paid from the  
17          Settlement Fund and the earned interest thereon.
- 18          (e) The attorneys' fees, reimbursement of expenses, and  
19          reimbursement of unpaid invoiced expenses shall be allocated  
20          amongst Class Counsel by Settlement Class Counsel (Labaton  
21          Sucharow LLP) in a manner, which, in Settlement Class  
22          Counsel's good-faith judgment, reflects each of Class Counsel's  
23          contributions to the establishment, prosecution, and resolution of  
24          this litigation.
- 25  
26  
27  
28

1           DONE AND ORDERED in Chambers in Los Angeles, California, this  
2  
3 29th day of November, 2012.

4   
5

6 \_\_\_\_\_  
7 HONORABLE GEORGE H. WU  
8 UNITED STATES DISTRICT JUDGE  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28